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February 18, 2016

Mr. Gregory O. Block, Clerk of the Court
United States Court of Appeals for Veterans Claims
625 Indiana Avenue, N.W., Suite 900
Washington D.C. 20004-2950

In RE: Emerson v. McDonald, Secretary of Veterans Affairs
                   Docket No. 14-2968
                   Notice of Supplemental Authority

Dear Mr. Block:

Pursuant to Rule 30(b) of the Court's rules of Practice and Procedure, the appellant cites the following decision which is pertinent to this appeal:

Stowers v. Shinseki, 26 Vet. App. 550 (2014).

Stowers, 26 Vet. App. at 555, discussed the Board's duty to consider all relevant evidence of record and address all potentially applicable provisions of law and regulation presented on the record. This is relevant to the Secretary's argument, page 12 of his responsive brief, asserting that the Board was not required to consider the veteran's newly submitted service personnel records and 38 C.F.R. §3.156(c) in support of an earlier effective date because that ground was not "articulated."

Stowers, 26 Vet. App. at 555, discussed the Secretary's duty to maximize benefits to which a claimant is legally entitled; and, at pages 556-557, the Court determined that the Secretary's argument is unpersuasive (e.g., the Secretary's assertion in *Stowers* that new service department records were not relevant because VA had already granted service connection*).* Both cited passages pertain to the Secretary's similar argument in Mr. Emerson's case, *see,* responsive brief, pages 14-16, arguing that Section 3.156(c) is

not applicable to Mr. Emerson's earlier effective date claim because VA has already granted service connection for Mr. Emerson's PTSD disability.

Very truly yours,

/s/Sandra E. Booth
Sandra E. Booth

SEB/mc
cc: Mr. Everett Emerson